REMARKS/ARGUMENTS

Claims 1-26 are pending in the application, and claims 1-26 stand rejected. Claims 1-3, 5-13 and 15 are amended. Support for the amendments can be found in the specification as filed. No new matter has been added. The Applicant respectfully traverses the rejections based on the above amendments and the arguments that follow.

REJECTION UNDER 35 U.S.C. §101

The Examiner has rejected claims 1-24 under 35 U.S.C. §101. The Applicant has amended claim 1 to clarify the invention. Claim 1 as amended recites, inter alia, "A method for indexing a database." The method of claim 1 results in a useful, concrete and tangible result – the database is indexed to find information in it. The Applicant requests the rejection be withdrawn.

REJECTION UNDER 35 U.S.C. §102(e)

The Examiner has rejected claims 1-26 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,741,688 (hereinafter "Yau"). The Applicant respectfully traverses the rejection. Independent claim 1 recites:

> A method for indexing a database comprising:
>
> associating a plurality of keys with a plurality of respective predetermined records in the database, wherein each key comprises a data string of one or more digits;
>
> associating each digit in the data string with a level as a function of the position of the digit in the data string;
>
> <u>obtaining an instruction at a first level, wherein the instruction is associated with one or more records in the database; and</u>
>
> <u>checking for another instruction at a second level, wherein the another instruction is associated with one or more records in the database; and if the another instruction is absent from the second level, returning to the first level and indexing the data string in accordance with the instruction at the first level.</u>

(Emphasis added.)

Claim 25 recites similar limitations as claim 1. The Applicant contends that Yau does not describe all of the limitations of claim 1.

The invention disclosed by Yau masks the entire received telephone number to facilitate handling of the telephone call in a single operation. Yau states at column 3, lines 63-67 and column 4, lines 1-5 "[f]or example, an address mask useful in screening 1-800 and 1-900 calls would be the hexadecimal number FFFF0000000 (h) (typically stored in memory in binary form). It will be understood that the F's represent `on` or high-active bit fields corresponding to the 1-800 and 1-900 prefix to a traditional seven-digit phone number represented by the 0's. Such a mask when ANDed with a received telephone number identifies only the four prefix tokens as being significant for screening purposes." Each example of a mask disclosed by Yau is a hexadecimal number that indicates whether a digit or group of digits within a telephone number is significant. The mask in each of the examples is ANDed with the received telephone number to isolate a portion of the telephone number used to handle or screen the call. (Yau column 3, lines 63-7 and column 4, lines 1-5; column 4, lines 50-57; column 4 lines 60-67, column 5, lines 1-51.) Once the isolated portion of the received telephone number is obtained, the telephone call is handled by the call handler 30. The "call handler 30 includes a call processor 42 coupled with template 56 for selectively processing the telephone call based upon the result of such definition and comparison." (Yau column 6, lines 40-43.)

Yau does not check each digit of a telephone number iteratively, i.e., "level by level", to obtain an instruction at each level as claimed by the Applicant. The Applicant's claim 1 specifically states "obtaining an instruction at a first level, wherein the instruction is associated with one or more records in the database; and checking for another instruction at a second level, wherein the another instruction is associated with one or more records in the database." In other words, the Applicants' method checks for an instruction at each level until an instruction is not found, and then returns to the most previous level and utilizes the instruction found at that level.

In contrast, Yau masks the entire telephone number in a single operation to obtain a portion of the telephone number, and handles the telephone number based on the obtained portion. The obtained portion of the telephone number is compared in its entirety to a set of rules, and then processed by the call handler. Yau is totally devoid of any teaching obtaining an instruction at a first level, wherein the instruction is associated with one or more records in the database; and checking for another instruction at a second level, wherein the another instruction is associated with one or more records in the database. Yau simply does not process telephone calls in an iterative, "level by level"method, as claimed by the Applicants. Therefore, the method taught by Yau is not

the same as the method taught by the Applicants.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987); M.P.E.P. § 2131. Yau does not disclose each and every element of the Applicant's independent claim 1. Claim 25 recites similar limitations as claim 1. The Applicant submits that claim 1 and claim 25 are not anticipated by Yau under 35 U.S.C. §102(e) and allowable. Claims 2-24 depend, directly or indirectly, from independent claim 1 and recite additional limitations therefor. Therefore, claims 2-24 are also allowable.

CONCLUSION:

Based on the above amendments and remarks, the Applicant contends that all claims are allowable and respectfully request that the instant application be passed to issue. The Examiner is invited to call the below-listed attorney to resolve any outstanding matters. The Commissioner is hereby authorized to deduct any fees believed due from, or credit any overpayment to, our Deposit Account No. 11-0223.

Respectfully submitted,

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Dated: November 3, 2006   ___s/Jeffrey I. Kaplan/_____
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